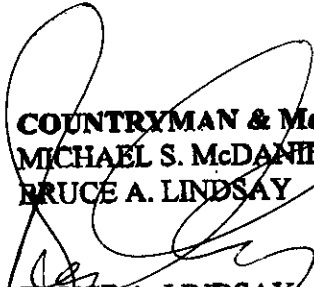




claims arising from the loss of property alleged to have occurred on or about July 28, 2005, as more fully described in the pleadings of the parties in this lawsuit.

WHEREFORE, premises considered, Plaintiff, UPS-SCS and Defendant, TANGO, jointly request the Court to dismiss without prejudice case no. C-07-4389 WIIA.

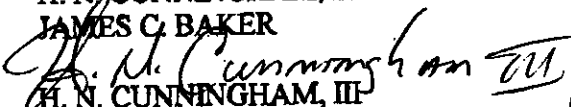
Dated: May 13 2008

  
**COUNTRYMAN & McDANIEL**  
**MICHAEL S. McDANIEL**  
**BRUCE A. LINDSAY**

By: **BRUCE A. LINDSAY**  
Attorneys for plaintiff, UPS SUPPLY CHAIN  
SOLUTIONS, INC. f/k/a EMERY AIR  
FREIGHT CORPORATION

Dated: May 13 2008

**ROBERTS, CUNNINGHAM &  
STRIPLING, L.L.P.**  
**H. N. CUNNINGHAM, III**  
**JAMES C. BAKER**

By:   
**H. N. CUNNINGHAM, III**  
Attorneys for defendant Tango Transport, Inc. 903

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UPS SUPPLY CHAIN SOLUTIONS, INC.  
f/k/a EMERY AIR FREIGHT  
CORPORATION,

Plaintiff,

**VS.**

TANGO TRANSPORT, INC., and  
DOES 1 through 10, inclusive,

**Defendant(s).**

[illegible]

NO. C-07-4389 WHA

**ORDER DISMISSING CASE WITH-  
OUT PREJUDICE**

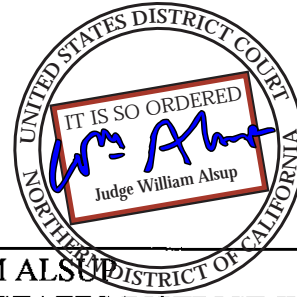
Came before the Court the Joint Stipulation of the Parties to Dismiss the Case without Prejudice filed by Plaintiff, UPS SUPPLY CHAIN SOLUTIONS, INC., f/k/a EMERY AIR FREIGHT CORPORATION (“UPS-SCS”), and, Defendant TANGO TRANSPORT, INC. (“TANGO”). The Court having considered the parties’ stipulation relating to the settlement of this matter, IT IS THEREFORE ORDERED AS FOLLOWS:

1. Case number C-07-4389 WHA is ordered dismissed without prejudice to the filing of an action on or before January 31, 2009, for claim of loss or damage occurring on or about July 28, 2005 which has been the subject of this lawsuit;

2. The trial of August 25, 2008 is vacated and the pre-trial conference of August 4, 2008 is ordered off-calendar.

**IT IS SO ORDERED.**

Dated: May 20, 2008



WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE